

LILYDALE CITY COUNCIL MEETING
September 10, 2018

Present - Mayor Warren Peterson; Council Members John Diehl, Lyle Hanzal, Bill Kleinman, Anita Pampusch; Mary Schultz, City Clerk and Kathy Mutch, administrative assistant

Also Present –Mike O’Brien, attorney, Police Captain Wayne Wegener; Mike Andrejka, Building Inspector; Jeff Weiss, Barr Engineering; Bridget Nason, LeVander, Gillen & Miller, P.A.

The city council meeting was called to order at 4:30 p.m. by Mayor Warren Peterson. The Pledge of Allegiance was recited.

Agenda - Moved by Councilmember Hanzal and seconded by Councilmember Pampusch to approve the agenda. Motion carried 5-0.

Public Comments – None.

City Council Minutes –Moved by Councilmember Diehl and seconded by Councilmember Kleinman to approve the August 13, 2018 City Council Minutes. Motion carried 5-0.

Civil Attorney Report – No report.

Criminal Attorney Report – No report.

Building Official Report – Mike Andrejka reported three building permits were issued in August and one closed. Mayor Peterson questioned Mr. Andrejka on the number of open permits. Andrejka confirmed in Lilydale everyone is contacted for a final inspection.

Police Report –Captain Wegener reported on an early morning drowning at 1700 Lexington Ave. He stated, pending an autopsy, the death was not suspicious and the person was not a resident of Lilydale.

Engineer Report – Jeff Weiss reported on two bids received from contractors to install the SAFL Baffle. In 2016 when the grant was secured through the Lower Mississippi River Watershed Management Organization the total project cost was about \$12,000, with the city’s responsibility being 25 percent. Mr. Weiss recommended approval in order to proceed with installation.

Moved by Councilmember Diehl and seconded by Councilmember Kleinman to authorize the purchase of a SAFL Baffle from Upstream Technologies in the amount of \$5,990 and to authorize Minger Construction to complete installation at a cost not to exceed \$3,000, under the terms outlined by Jeff Weiss. Motion carried 5-0.

Contract for Legal Services – Bridget Nason from LeVander, Gillen & Miller, P.A., introduced herself to council members. The LeVander firm was approved last month to serve as the city’s prosecuting attorney and backup as civil services attorney.

Moved by Councilmember Pampusch and seconded by Councilmember Hanzal to approve the Legal Services Agreement for criminal prosecution services and backup on civil services between the City of Lilydale and LeVander, Gillen & Miller, P.A. The provision charging for photocopying and Westlaw Legal Research will be deleted from the Legal Services Agreement. Motion carried 5-0.

Resolution 18-9 – Ms. Nason explained the documents submitted to begin representation of the city of Lilydale. Ms. Nason asked the council to approve a resolution approving a joint powers agreement, and the State of Minnesota Joint Powers Agreement (JPA) Authorized Agency. The Bureau of Criminal Apprehension (BCA) requires a JPA to allow the prosecuting attorney to continue access to the BCA systems and tools available over the state’s criminal justice data communications network.

Mike O’Brien, civil attorney, confirmed he has reviewed the documents and, based on his review, recommends approval. There currently is a Joint Powers Agreement with the city of Lilydale on behalf of its city attorney and police department in place with Eckberg Lammers. Council approval transfers authority from Eckberg to LeVander, Gillen & Miller, P.A.

Moved by Councilmember Diehl and seconded by Councilmember Pampusch to approve Resolution 18-9 Approving State of Minnesota Joint Powers Agreements with the City of Lilydale on Behalf of its City Attorney and Police Department, the State of Minnesota Joint Powers Agreement Authorized Agency, and the Court Data Services Subscriber Amendment to CJDN Subscriber Agreement. Motion carried 5-0.

Resolution 18-08 – Clerk Schultz presented a 2019 preliminary budget for the general and debt service funds of \$593,534 and the levy amount of \$523,988. The most significant increase in the budget is fire services. The increase includes the city’s portion of the fire department facilities renovation. Councilmember Diehl acknowledged he attended an open house on the proposed renovation and considers the renovations needed and commented how the department did a great job of planning and informing the community.

A proposed levy must be submitted to Dakota County by September 30, 2018.

Moved by Councilmember Hanzal and seconded by Councilmember Kleinman to approve the proposed payable 2019 levy to be certified to Dakota County in the amount of \$523,988 and the 2019 proposed budget in the amount of \$593,534, as presented. Motion carried 5-0.

Clerk’s Report – Moved by Councilmember Diehl and seconded by Councilmember Pampusch to approve the August financial reports as presented. Motion carried 5-0.

Meeting Date Change - Clerk Schultz noted the November council meeting is scheduled on Veterans’ Day. This year Veterans’ Day falls on a Sunday and the legal holiday is recognized on Monday. She proposed moving the council meeting from Monday to Tuesday, November 13 at 4:30 p.m.

She also noted in December the council is required to hold a public meeting on the final budget and levy no earlier than 6:30 p.m. She proposed the public meeting be held at 6:30 p.m. on December 10 and the regular meeting begin at its regular time of 4:30 p.m.

Moved by Mayor Peterson and seconded by Councilmember Pampusch to approve Tuesday, November 13 at 4:30 p.m. for the November City Council meeting and set December 10 at 6:30 p.m. for the public meeting on the final budget and levy. Motion carried 5-0.

Mayor’s Report – Mayor Peterson reported there has been no further discussion with regard to the drop shaft litigation.

Adjournment – Moved by Councilmember Diehl and seconded by Councilmember Kleinman to adjourn the meeting. There being no further business, the meeting adjourned at 5:36 p.m.

Respectfully submitted:

Final copy reviewed by:

Mary Schultz, City Clerk

Warren Peterson, Mayor

Date